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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/816,736	04/01/2004	Tsukasa Inoguchi	247322002100	1369	
25226 7	7590 10/02/2006 .		EXAMINER		
MORRISON & FOERSTER LLP			TRAN, THIEN F		
755 PAGE MILL RD PALO ALTO, CA 94304-1018			ART UNIT	PAPER NUMBER	
,			2811	2811	
			DATE MAILED: 10/02/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Office Action Commons	10/816,736	INOGUCHI, TSUKASA				
Office Action Summary	Examiner	Art Unit				
	Thien F. Tran	2811				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION (6(a). In no event, however, may a reply be tim (ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	I. nely filed the mailing date of this communication. O (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on						
	- action is non-final.					
3) Since this application is in condition for allowan	)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4)⊠ Claim(s) <u>1-38</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdraw	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.	Claim(s) is/are objected to.					
8) Claim(s) <u>1-38</u> are subject to restriction and/or e	election requirement.					
Application Papers						
9) The specification is objected to by the Examine	<b>.</b>	•				
10) ☐ The drawing(s) filed on is/are: a) ☐ acce	epted or b) objected to by the E	Examiner.				
Applicant may not request that any objection to the o	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correcti	on is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).				
11) ☐ The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of:	priority under 35 U.S.C. § 119(a)	-(d) or (f).				
<ol> <li>Certified copies of the priority documents</li> </ol>	1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau	, , , ,					
* See the attached detailed Office action for a list of	of the certified copies not receive	d.				
Attachment(s)	. —					
Notice of References Cited (PTO-892)     Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO/SB/08)	5) 🔲 Notice of Informal P					
Paper No(s)/Mail Date	6) 🔲 Other:					

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## **DETAILED ACTION**

## Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1 represented by Figs. 1-6,

Species 2 represented by Figs. 7-8,

Species 3 represented by Figs. 9-10,

Species 4 represented by Figs. 13-14,

Species 5 represented by Figs. 15-16,

Species 6 represented by Figs. 17-18,

Species 7 represented by Figs. 22-24,

Species 8 represented by Fig. 27,

Species 9 represented by Fig. 28,

Species 10 represented by Figs. 30-31,

Species 11 represented by Fig. 32,

Species 12 represented by Figs. 34(a)-34(c),

Species 13 represented by Figs. 36(a)-36(c),

Species 14 represented by Figs. 37(a)-37(c),

Species 15 represented by Figs. 38(a)-38(c),

Species 16 represented by Fig. 39(a),

Species 17 represented by Fig. 39(b),

Species 18 represented by Fig. 40,

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Species 19 represented by Fig. 41,

Species 20 represented by Fig. 42,

Species 21 represented by Fig. 43,

Species 22 represented by Figs. 44-45,

Species 23 represented by Fig. 148,

Species 24 represented by Fig. 49,

Species 25 represented by Fig. 50,

Species 26 represented by Fig. 51,

Species 27 represented by Fig. 52.

Species 28 represented by Fig. 53,

Species 29 represented by Fig. 54,

Species 30 represented by Fig. 55, and

Species 31 represented by Fig. 56.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thien F. Tran whose telephone number is (571) 272-1665. The examiner can normally be reached on 8:30AM - 5:00PM Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tt September 27, 2006

Thien F. Tran
Primary Examiner